

COMBINED DECLARATION AND POWER OF ATTORNEY
IN ORIGINAL APPLICATION

ATTORNEY DOCKET
NO. 1-15247

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name,

I believe that I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PROCESS FOR THE PRODUCTION OF AN ELECTROCHROMIC COATING

the specification of which

 X is attached hereto and which is a filing under
35 USC 371 off PCT International Application No.
PCT/DE99/02582 filed August 13, 1999.

 was filed on _____ as U.S. Serial
No. _____ under 35 USC 371 off PCT
International Application No. PCT/DE99/02582
filed August 13, 1999 and was amended on
_____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56,

 X and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent; and

 if this is a continuation-in-part application, information that occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application, in accordance with 37 CFR 1.63(e); and

 in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 CFR 1.98.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Prior Foreign Application(s) | | | Priority Claimed | |
|------------------------------|----------------|------------------------|------------------|-------|
| <u>198 39 299.0</u> | <u>Germany</u> | <u>28 August 1998</u> | <u>X</u> | |
| (Number) | (Country) | (Day/Month/Year Filed) | Yes | No |
| <hr/> | <hr/> | <hr/> | <hr/> | <hr/> |
| (Number) | (Country) | (Day/Month/Year Filed) | Yes | No |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|---------------------|---------------|--------------------------------|
| <hr/> | <hr/> | <hr/> |
| (Appln. Serial No.) | (Filing Date) | (Status) |
| | | (patented, pending, abandoned) |
| <hr/> | <hr/> | <hr/> |
| (Appln. Serial No.) | (Filing Date) | (Status) |
| | | (patented, pending, abandoned) |

If foreign agent is involved, the undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from Boehmert & Boehmert (foreign agent) as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith with full power of substitution and revocation: D. Edward Dolgorukov, Reg. No. 26,266; Phillip S. Oberlin, Reg. No. 19,066; Donald A. Schurr, Reg. No. 34,247; Mark A. Hixon, Reg. No. 44,766; Stephen P. Evans, Reg. No. 47,281; and

Angelica M. Colwell, Reg. No. 46,637, all of the law firm of Marshall & Melhorn, LLC, Four SeaGate - 8th Floor, Toledo, Ohio 43604. Address all telephone calls to Phillip S. Oberlin at telephone number (419) 249-7149. Address all correspondence to MARSHALL & MELHORN, LLC, Four Seagate - 8th Floor, Toledo, Ohio 43604, Attention: Phillip S. Oberlin.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor AXEL NOETHE

Inventor's signature _____ Date _____

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Second Inventor's signature _____ Date _____

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Full name of third joint inventor, if any _____

Third Inventor's signature _____ Date _____

Residence _____

Citizenship _____ Post Office Address _____